

REMARKS

This response and accompanying Request for Continued Examination are being filed in response to the Office Action mailed October 16, 2003 having a shortened statutory response period that ended on January 16, 2004. Submitted with this response is a petition for a two month extension of time. This response is filed within the extension period, namely March 16, 2004. The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 02-1818. Applicants respectfully request reconsideration and allowance of the pending claims in the present application in view of the foregoing amendments and remarks below.

Applicants invite the Examiner to call Applicants' Representative to discuss any issues with this application.

1. Status of the Claims

Claims 1-9, 12-26, 28-34, and 36-51 are presently pending in this application. Claims 10-11, 27 and 35 have been cancelled. Claims 1, 3, 4, 12, 13, 17, 18, 20, 21, 24, 25, 26, 28, and 32-34 have been amended. New claims 36-51 have been added. The indication of allowable subject matter in claims 16 and 24 is noted with thanks and appreciation. Support for these amendments and new claims is found in the application as follows:

page 9 lines 1-11, page 13 lines 13-15, page 17 line 27 through page 20 line 27, FIGS. 1-9 and FIGS. 18-21.

2. Prior Art Rejections

Claims 1-9, 13-15, 17-20, 27, 28, 30 and 33 were rejected under 35 U.S.C. §§102(a) and 102(e) as being anticipated by U.S. Patent No. 6,063,418 to Sugimoto et al. (*Sugimoto*). Claims 1, 2, 6-11, 17, 30 and 33 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 3,119,548 to Cook et al. (*Cook*) in view of U.S. Patent No. 4,635,814 to Jones (*Jones*). Claims 1-4, 6-9, 14, 17, 18, 20, 27, 31 and 34 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 3,319,684 to Calhoun (*Calhoun*) in view of *Jones*. Claims 1, 2, 6-10, 13-15, 17, 27, 30 and 33 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,358,335 to LaFleur (*LaFleur '335*) in view of *Jones*. Claims 1-10, 12, 14, 15, 17-20, 27, 28, 30 and 33 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent 5,788,121 to Sasaki et al. (*Sasaki*) in view of *Jones*. Claims 25, 26, 29, 32 and 35 were rejected under 35 U.S.C. §103(a) as being obvious over *Sugimoto* in view of U.S. Patent No. 4,781,472 to LaFleur (*LaFleur '472*). Claims 21-23 were rejected under 35 U.S.C. §103(a) as being obvious over *Sasaki*. Applicants respectfully traverse these rejections

as *Sugimoto*, *Cook*, *Jones*, *Calhoun*, *LaFleur* '335, *LaFleur* '472 and *Sasaki*, either alone or in combination, fail to teach or suggest the subject recited in the present claims.

Regarding claim 1 and the claims depending therefrom, none of the references teach or suggest a closed large volume container formed from panels having end segments with opposing tapered peripheral edges wherein at least two end segments are trapezoidal in shape and the tapered peripheral edges are sealed to form an end panel that extends beyond the plane defined by the fold line. *Sugimoto* has no disclosure whatsoever directed to end segments having sealed tapered edges. Rather, *Sugimoto* discloses that small tube portion 10C is sealed to close the container. Tube portion 10C is annular in shape and has no tapered peripheral edges whatsoever. *Sugimoto*, col. 4 lines 40-46, FIGS. 1-3. *Sugimoto* therefore fails to teach or suggest an end panel composed of end segments that are sealed to each other along tapered peripheral edges.

LaFleur '335 discloses an open container with an inlet spout 34 exposed to the environment. *LaFleur* '335, col. 4 lines 10-16. The open container of *LaFleur* '335 consequently teaches away from the closed container recited in the present claims. Similarly, *Cook* discloses an open container thereby teaching away from the recited closed container. *Cook*, col. 1, lines 13-15. In addition, *Cook*'s end panels fail to extend beyond the plane defined by the fold line as the angle between the longitudinal edge and C¹ of the bag blank is exactly 135°. *Cook*, col. 2 lines 48-61, FIGS. 5-7.

Calhoun discloses a collapsible container having predetermined fold lines. *Calhoun*, FIG. 3. Consequently, *Calhoun* has no disclosure whatsoever directed to an end panel composed of end segments that are sealed to each other along tapered peripheral edges. *Calhoun* therefore cannot teach or suggest the subject matter recited in the present claims.

Sasaki has no disclosure whatsoever directed to container panels having tapered peripheral edges. Four rectangular panels (a front panel, a back panel and two opposing side panels) sealed along the outer perimeter edge of each panel form the *Sasaki* container. *Sasaki*, col. 11 lines 54 through col. 12 line 8. As each *Sasaki* container panel is rectangular in shape, no panel of the *Sasaki* container has a tapered peripheral edge. *Sasaki* merely discloses that an oblique heat seal is formed upon the interior of the front, back and side panels. *Sasaki*, col. 4 lines 14-27, FIGS. 2, 4-6. With no disclosure whatsoever directed to container panels having tapered peripheral edges, *Sasaki* simply cannot teach or suggest an end panel composed of end segments that are sealed to each other along tapered peripheral edges.

Regarding claim 17 and the claims depending therefrom, none of the claims teach or suggest a closed large volume container formed from panels having end segments with opposing tapered peripheral edges, the tapered peripheral edges forming a plurality of converging surfaces sealed at the tapered peripheral edges wherein a portion of the converging surfaces extend beyond the fold line. *Sugimoto*, *Sasaki* and *Calhoun* fail to disclose end panels having sealed tapered peripheral edges as previously discussed. *Sugimoto*'s small tube portion 10C has no tapered peripheral edges whatsoever. *Sugimoto*, col. 4 lines 40-46, FIGS. 1-3. Similarly, *Sasaki*'s container with peripherally sealed rectangular panels has no teaching or suggestion of tapered peripheral edges. *Sasaki*, col. 4 lines 14-27, FIGS. 2, 4-6. Similarly, *Jones* has no disclosure whatsoever directed to a container having tapered peripheral edges. The fold lines of *Calhoun*'s container do not teach or suggest end segments having converging surfaces with sealed tapered peripheral edges as recited. *LaFleur* '335 and *Cook* each disclose an open container teaching away from the recited closed container as previously discussed. *LaFleur* '335, col. 4 lines 10-16; *Cook*, col. 1, lines 13-15.

None of the references teach or suggest end segments having opposing tapered peripheral edges sealed together to form an enclosed container wherein the angle between a peripheral panel edge and an end segment tapered peripheral edge is between 135.01° to 138° as recited in claim 21, for example. *Cook* fails to disclose an angle having a size in the recited range. The size of the angle between the *Cook* panel peripheral edge and the tapered end segment is 135°. *Cook*, col. 2 lines 48-61, FIGS. 5-7. *Sasaki* has no disclosure directed to a container having tapered peripheral edges as previously discussed. The peripheral edges of the *Sasaki* container are not tapered as each container panel is rectangular in shape. *Sasaki*, col. 11 line 54 through col. 12 line 8. With no tapered peripheral edges, the *Sasaki* container cannot teach or suggest an angle between a panel peripheral edge and an end segment tapered peripheral edge. *Calhoun*, *LaFleur* '335, and *Jones* have no disclosure whatsoever directed to the size of the angle between a panel peripheral edge and an end segment tapered edge.

Regarding claim 25 and claims depending therefrom, none of the references teach or remotely suggest a container having a port closure providing sterile access to the container interior as recited. *Sugimoto* has no disclosure regarding sterile access to a container interior. Rather, *Sugimoto* discloses a grain bag having injection spout 10B. Guiding tube 38 is inserted into injection spout 10B and into the bag interior in order to introduce CO₂ gas into the bag interior. *Sugimoto*, col. 4 line 58 through col. 5 line 13, FIG. 5. The skilled artisan, however, will

immediately recognize that injection spout 10B fails to provide sterile access to Sugimoto's bag interior as injection spout 10B is directly exposed to the ambient environment. See *Sugimoto*, FIG. 5.

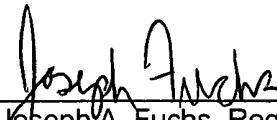
Similarly, *Cook*, *Calhoun*, *LaFleur* '335, *LaFleur* '472, *Jones* and *Sasaki* do not teach or suggest a port closure that provides sterile access to the container interior. *Cook* discloses a bag having an open end, the open end exposed to the environment. *Cook*, col. 1 lines 10-15, FIGS. 12 and 16. The *Calhoun* container has a fluid passage 13 exposed to the environment and lacks any disclosure directed to sterile access to the container interior. *Calhoun*, FIGS. 1-6. *LaFleur* '335 discloses a container having an inlet spout 34 exposed to the environment. *LaFleur* '335, col. 4, lines 10-16, FIGS. 1 and 6. *LaFleur* '472 discloses a bag having spout 32 which can be tied closed with cord 42 but lacks any disclosure directed to a port closure that provides sterile access to the bag interior. *LaFleur* '472, col. 3 lines 4-16, FIG. 1. *Jones* discloses a plastic liner having gland 44 and corresponding screw plug 70. *Jones*, however, lacks any disclosure directed to a port closure that provides sterile access to the liner interior. *Jones*, col. 4 lines 20-31, col. 4 lines 56-63, FIGS. 3, 4 and 6. Likewise, the *Sasaki* bag includes spout 12 yet *Sasaki* lacks any disclosure directed to sterile access to the bag interior. *Sasaki*, col. 1 lines 54-58, FIG. 2. Thus, no reference, either alone or in combination, teaches or suggests a port closure that provides sterile access to the container interior as recited in the present claims.

CONCLUSION

For the foregoing reasons, Applicants respectfully submit that claims 1-9, 12-26, 28-34, and 36-51 are in condition for allowance and request an early notification of the same.

Respectfully submitted,
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